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**FOCUS**

**MONTANA INDEPENDENT LIVING PROJECT**  
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**HELENA, MONTANA 59601**

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## **MILP Has a "Moving" Experience**

At the end of August, the Project moved all its worldly goods, and then some, to its new location, 38 S. Last Chance Gulch, in the Dunphy Block. Of course, it could have been hotter. And necessary remodeling wasn't quite finished, but it was livable, in a certain sense. The office is spacious and very nice with room for expansion as we need it. Please stop in and see us whenever you are in the neighborhood. The coffee is always on.



## **SURVEY OF THE DISABLED IN OCTOBER**

MILP will conduct a needs assessment via the Disabled Citizens' Concerns Survey in Broadwater and Jefferson Counties. The survey will be sent to each boxholder and rural mailbox in both counties. Results of the survey will assist MILP identify key issues affecting the disabled at the local level. The Project will also identify disabled people in need of services as well as initiate disability support groups and peer helper groups.

Action groups will be formed to assess local communities in regard to architectural and attitudinal barriers. These groups will develop guidelines and implement strategies for overcoming such barriers in the communities. A similar survey will be conducted in Deer Lodge and Powell Counties in January, 1989.

## **Tax Advantages of Section 190**

(Reprint From Paraplegia News)

Section 190 of the Internal Revenue Code provides a \$35,000 tax incentive to businesses to make their facilities and vehicles accessible to disabled and elderly persons.

In general, a taxpayer may elect to treat qualified architectural and transportation barrier removal expenses paid or incurred during each tax year as expenses not chargeable to a capital account. Such expenditures are to be fully deductible, up to a maximum of \$35,000 for each tax year.

The maximum \$35,000 deduction applies to individual taxpayers, partnerships, and affiliated groups of corporations, filing a consolidated return. In the case of a partnership, the selection must be made by the partnership.

Qualified expenses include only those expenses specifically attributable to the removal of existing barriers, such as steps, narrow doors, or inaccessible parking spaces, toilet facilities, or transportation vehicles. To meet the test as a qualified architectural or transportation barrier removal expense, modifications must meet the standards established under Section 190 of the Internal Revenue Code. Expenses incurred in the construction or comprehensive renovation of a facility or vehicle or the normal replacement of depreciable property are not included. However, construction of certain structures (e.g., a ramp) qualify if the structure resulted in the elimination of a barrier (e.g., steps) to mobility-impaired persons.

An exact copy of the regulations contained in Section 190 can be obtained from your local IRS office.

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# CONFERENCES

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**The Disabled Employment Conference** will be held October 26 at the Copper King Inn in Butte. This one-day conference will offer informational workshops to employers, service providers and the disabled.

MILP encourages our disabled consumers to attend the conference. Information sessions will address pertinent issues such as Social Security incentives for disabled persons to re-enter the work force, and information on how persons with disabilities can be better prepared for job interviews. A number of employers will be available to discuss employment needs with disabled persons. During sessions designed for interaction, issues critical to improving disability employment opportunities will be discussed.

Scholarships to the conference are available. For more information, contact Ron Wilson, Rm.130, Mitchell Bldg., Helena, MT 59620, or call 444-3985.

**The First Annual Montana Head Injury Conference** will be held in Billings at the Billings Plaza Holiday Inn on October 21 - 22, 1988. The purpose of the conference is to improve the quality of life of the victims of head injury by creating awareness of the services and delivery systems available to them, their family members, and the professionals who serve them. Registration deadline is October 14, 1988, and fees are set (for MHIA members or non-members) as follows:

Basic - \$45 (\$60 non-members);  
Head injury survivors and students - \$25;  
Each additional member of head injury survivor's family - \$25 (\$40 non-member);  
Late Fee ( postmarked after Oct. 14) - \$10.

For more information, contact MHIA, 2937 MacLeod St., RR6, Billings, MT 59101. There are a limited number of scholarships available. Requests must be in writing and sent to the MHIA office by October 7, 1988.

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## Radio Reading Services in Billings.

Eastern Montana Radio Reading is a service for individuals who are visually handicapped and unable to read and/or hold conventional printed materials. Broadcast of the printed word, including regional newspapers and other periodicals accessed through In-Touch Networks, is provided free of charge, 24-hours-a-day through a private radio channel. Special receivers are distributed at no cost to eligible individuals. First consideration is given to senior citizens with a severe visual impairment or other disability which leaves them unable to read conventional print.

The Eastern Montana Radio Reading Service is on the air as of July '88. Programming will be transmitted over a closed broadcast signal provided by KEMC, a

public broadcasting station at Eastern Montana College in Billings, Montana. At the present time there are 100 receivers ready for distribution to interested persons. To obtain an application, contact Jim Aldrich at 657-2337.

An essential component of this service is the volunteer reader. People who volunteer their time to read to our listeners are the backbone of the radio reading service. If you are interested in spending an hour or two a week reading aloud for live broadcast, we can use your help. For further information, please contact Jim Aldrich at 657-2337.



## ***Legislative Update***

September 9, 1988, marked the final day on which PFP III met to establish its priorities to be presented to Governor Ted Schwinden. Teams composed of individuals representing service providers, state departments, the private sector, and consumers, met over a period of six months, totalling seventeen actual days, with the goal of arriving at consensus on programs Governor Schwinden should emphasize within the human service delivery system in the FY 90 and FY 91 budgets. The task was far from simple. Forty people with forty philosophies came together to arrive at a common vision, a common goal, that of determining what we as a group could agree on as being in the best interests of a wide spectrum of individuals with many needs.

A group philosophy evolved which focused on a continuum of services, deinstitutionalization, community based services, the least restrictive environment, maximizing the federal dollar, cost efficiency, and most important, treating recipients of services with dignity and respect. PFP considered increases, decreases, reallocations, as well as revenue enhancements, a nice way of saying "tax increases." Eleven increase initiatives were presented to Governor Schwinden as PFP III's top priorities. These priorities, as well as the other work we accomplished will be presented in a series of public meetings.

As PFP III adjourned for the final time, it did so with a sense of achievement, but also a sense that the job was yet to be completed. We wrestled with unmet needs, reductions in services, creative approaches to using current level funds and leveraging federal dollars, and possible revenue enhancements. Consensus had been reached, a new and stronger understanding achieved, priorities set, and a pledge of solidarity made for continuing cooperation, interaction and promotion of the human service programs.

## *Medicare Assignment Legislation Proposed*

*There is growing support behind proposed legislation to limit the amount health care providers can charge to Medicare beneficiaries. The Montana Senior Citizens Association (MSCA) will introduce legislation into the 1989 Montana Legislative Session that will prohibit health care providers from charging Medicare beneficiaries under Part B more than Medicare's approved rates.*

*This process is often referred to as "Medicare Assignment". If a health care provider accepts Medicare's approved rates of which Medicare then pays 80% of the bill, and the patient is responsible for the remaining 20%.*

*However, many health care providers charge above Medicare's approved rates which means greater out-of-pocket costs to patients. Only 19.9% of physicians in Montana have agreed to accept Medicare Assignment for all Medicare beneficiaries. Montana's rate is one of the lowest in the nation. The national average of physicians accepting assignment for all beneficiaries is 37%.*

*The proposed legislation will protect elderly and disabled Medicare patients from being overcharged by prohibiting health care providers from charging patients more than Medicare's approved rates. It will also require health care providers to post a summary of the law in public view. Failure to comply with this act would be deemed a violation of the Consumer Protection Act and carry a fine of not more than \$500 for the first violation.*

*Physicians' fees for Medicare patients increased at an average of 20.6% each year from 1979 through 1983 and have been increasing at least two times the rate of inflation since then.*

*The Medicare program was originally designed to cover 75% of health care costs for beneficiaries but now cover less than 45%. Medicare beneficiaries are paying more out-of-pocket for health care now than they were before Medicare was created.*

*MSCA realizes that many physicians accept Medicare Assignment on a case-by-case basis, based on their judgment of the patient's need. However, MSCA does not believe that Medicare beneficiaries should be reduced to bargaining for health care when a reasonable fee has already been established by Medicare. Seniors and the disabled are too proud to beg for health care. Many will simply forego medical treatment until much too late, or go without other basic necessities in order to pay a medical bill.*

*MSCA believes its time to take action to stop the increasing costs of health care.*



# New CIL in Billings - October 1

As noted in the last issue of FOCUS, MILP's Billings outreach Office will be established as a free-standing, locally controlled non-profit corporation, called the Yellowstone Valley Center for Independent Living. The Board of Directors consists of Marge Jones, Ardys Olin, Romona Breshears and Ann Felton of Billings, Larry Menke, Glendive, Steve Yapucich, Wyola, Naomi Orstad, Miles City, Barb Kirkaldie, Forsyth, and Claude Dodson, Lame Deer. The current staff will remain, with Donna Reinhardt as Director, Kim Crew as Independent Living Coordinator, and Nancy Morris, Secretary/book keeper. Their office will remain at 3310 2nd Ave. North in Billings.



## READING MACHINE AVAILABLE FOR

### THE BLIND AND VISUALLY IMPAIRED

The American Foundation for the Blind has established a low interest loan fund to help financially deserving blind and severely visually impaired persons purchase a new portable reading machine called the Personal Reader TM.

Qualifications for loans are two-pronged: 1) there is demonstrated financial need and 2) the person requesting a reading machine must show a need in either an educational program, a vocational training program, or employment, including self employment. Purely recreational or household use would not qualify for the loan.

The Personal Reader is a portable computer-based system that reads typeset or typewritten print and turns it into easily understood synthetic speech. Developed by Kurzwill Computer Products, the Reader can include an easy to use hand-held scanner, a desktop scanner, or both.

Blind and visually impaired individuals seeking more information should write to Michael Petell, Director of Development, American Foundation for the Blind, 15 West 16th Street, New York, NY 10011

# HUD Issues 504 Regulations

On June 2, HUD published in the Federal Register (p.20242) a final rule that establishes procedures and policies to assure nondiscrimination based on handicap in programs and activities receiving HUD federal financial assistance. The rule which implements Section 504 of the Rehabilitation Act is an improvement on the interim rule published by HUD in May, 1983. During the past five years, there have been numerous meetings between disability organizations and HUD to try to reconcile differences. The new rule which went into effect on July 11 provides some specific standards and interpretations that should result in real changes in the way that federally assisted housing is built, operated and maintained.

Provisions of the HUD Section 504 Regulations which are favorable to the disability community include:

- A building is required to be accessible when viewed in its entirety. To make a housing program accessible, a recipient of federal funds must reassign services to accessible buildings, and provide for alteration of existing facilities and construction of new facilities. For structural changes, compliance must be completed in three years;
- With new construction of multifamily housing, a minimum of five percent of the units must be made accessible. The regulation sets no maximum figure. A recipient may obtain permission from HUD to make up to 100% of the building accessible by demonstrating need based upon existing and "expected needs of eligible persons with and without handicaps." There is no exemption from the five percent accessibility requirement;
- Providers of housing are prohibited from denying occupancy to an individual with a disability solely on the basis of his or her handicap. Providers are prohibited from making class-based distinctions (such as, all people with mental illness are dangerous). Providers must find factual data on an individual case by case basis (such as past record of destroying property or failure to meet rent obligations) in order to justify a denial of occupancy;
- One may be qualified for a housing program even if the program does not include supportive services if the applicant obtains the services elsewhere;
- Housing providers who accept Section 8 rent certificates and housing vouchers must meet the obligations of these regulations; and
- All agencies and organizations receiving federal financial assistance from HUD must conduct a self-survey to evaluate compliance with these new regulations by July 11, 1989.

During the next year, each local and state housing authority must designate at least one person to coordinate its efforts to comply with the new regulations. Each recipient of HUD funding must consult individuals with disabilities and other interested persons to evaluate its current policies and practices and make appropriate changes to bring them in line with the new regulations. It is an ideal opportunity for persons with disabilities and interested organizations to become involved and seek system changes.



## FOR SALE !!

1. 2 Year old Tri-Kart, new battery with vinyl bucket seat - \$800; toilet seat raiser -\$20; Sears exercise bike - \$50; walker - \$40. Call Alta Swanson in Laurel, at 628-8682.
2. 3 - Bedroom house, large bath, enclosed porch (200 sq. ft.), super insulation, wood stove with rock hearth, 24 x 24 truck gargae / shop with 220 wiring, nice lawn, trees, shrubs and large garden. Fully remodeled for wheelchair. \$49,000 502 S. Walnut, Townsend, MT call 266-3060.
3. 1979 Sherry Elektra, 4-wheeled cart, 28" wide, 39" long, 4-speed transmission, 20 mph, 25 mile range. Front end rebuilt, new batteries and tires, call Jim Gonder, 222-0321.
4. 2 year old set, hand controlls for \$250. George Coward, 563-6806.
5. 1984 Rolls Invacare Adult wheelchair, \$3000 (negotiable) Lorene Burtt, 683-5571.
6. Travel Hoyer lift - \$1000; manual wheel chair, one-hand drive-\$350; portable Jacuzzi - \$350; Canon communicator - \$300; Mrs. Allen McKee, 2700 Alamo, Great Falls, 59404.

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## Special Election Edition

### Disability Policy: If I am Elected President of the United States



**George Bush, Republican**

I firmly believe that without aggressive public and private support disabled people will not be able to achieve their highest priority, namely, the independence necessary to achieve control of their own lives and integration into the mainstream of American life. These goals may sound revolutionary in regard to the treatment of people with disabilities; but they are not radical in relation to the American values of individual freedom of choice and involvement in

the social, political and economic mainstream...in other words, meaningful access to all aspects of society.

As President, I will expand the number of disabled persons and parents of disabled persons appointed to key positions in my Administration.

Moreover, I pledge that my Administration will do away with "Hire the Handicapped Week" and replace it with Federal legislation that gives people with disabilities the same protection in private employment that is now enjoyed by women and minorities...

I will continue to support initiatives to:

- \* Ask the private sector to work more aggressively in hiring disabled people, using my office to educate employers about statistics showing clearly that, other things being equal, disabled people perform above average.

- \* Train disabled people for jobs that really exist where they live.

- \* Work with Congress to eliminate disincentives that discourage disabled people who wish to work from working.

- \* Improve transportation and work place accessibility for existing facilities and insist on accessibility for all new construction.

- \* Support independent living centers to help disabled people with transition to independence.

- \* Urge private insurers to find ways to include—not exclude—disabled workers in their programs.



**Michael Dukakis, Democrat**

Building a society that offers genuine opportunity to every citizen must be the top domestic priority of the next President of the United States. That opportunity must be extended to the nearly 17% of Americans who have some form of physical or mental disability...

The next President must make it clear that there is no place for discrimination—in the community or in the work place—against people with disabilities. As President, I will

support the Civil Rights Restoration Act and insist on vigorous enforcement of section 504 of the Vocational Rehabilitation Act to prohibit federal funding for institutions that discriminate against people with disabilities. I will also support legislation to include disabled people in our federal civil rights laws for housing and employment...

As President, I will work to end the federal government's unemployment policy for the disabled...My Administration will set a goal of insuring that each and every disabled adult who is ready and willing to work has the opportunity for a good job at a good wage...

- \* I support a plan to provide more effective federal cooperation with the states to implement the Education for Handicapped Children Act...

- \* I propose a National Partnership for Affordable Housing, which through presidential leadership will combine private investment with public initiative, to make decent and affordable shelter the birthright of every American...

- \* I will see that every community, no matter what size, receiving federal funds, moves toward expansion of accessible transportation systems...

- \* I will ensure that the voting accessibility law is fully enforced so that polling places are barrier-free...

- \* As Governor (of Massachusetts), my highest priority has been to create genuine opportunity for every citizen...I will bring that same commitment to the White House.

*These are excerpts from the policy statements on disability issued by Vice President Bush and Governor Dukakis prior to the nominating conventions in the summer of 1988.*

**JUDGE  
STEVENS  
ADDRESS  
DISABILITY  
ISSUES**

We asked the candidates for governor, Tom Judge and Stan Stevens, to describe their positions on the following seven points: 1) Legislation to create more accessible housing units in both the private and public sectors; 2) allocation of funds for community support services such as: independent living centers, vocational training, and home health care; 3) public transportation systems which are accessible, usable and affordable by the disabled, elderly, and low income; 4) to more aggressively implement existing legislation against discrimination in hiring practices; 5) to provide affordable health and accident insurance for the disabled; 6) supporting initiatives to increase employment of people with disabilities in state government; 7) continued support of the Governor's Committee for Employment of People with Disabilities in its efforts to increase employment opportunities for Montanans with disabilities. Here is what they said.



## **Judge / Skelton**

### **Democratic Candidates**

Accessible housing is a real need for those with disabilities, and I support this concept. Before I could support specific legislation, we would have to see what is proposed and look at state revenues and budgets carefully.

These community services play a vital role in helping those with disabilities live an independent life. I believe funds should be reallocated away from programs which lock people into dependency and shifted to programs which provide independence, self-sufficiency and dignity. It is not always a question of more funds, but rather of shifting them from more costly, less effective programs to those which are better for those served and more cost-effective.

Adequate, affordable public transportation is a key to employment for many. This is a difficult challenge in rural states like Montana. I am pleased with the work the Department of Commerce is doing in conjunction with the United States Department of Transportation to improve the options for those who must depend on public transportation. I support these efforts, and as Governor, will continue to explore ways to make transportation options available.

We have good laws on the books in Montana, such as the Human Rights Act, and Executive Orders on Equal Employment Opportunity and Affirmative Action. I support equal opportunity for all Montanans, especially the disabled and will work to ensure their implementation.

I support bringing together all those involved in this difficult issue to work at finding solutions so that insurance can be provided

The Judge/Skelton JOBS program will create good jobs with good wages for Montanans, with strong aggressive leadership from state industry and help existing businesses. Our goal is employment opportunities for all who are able to work, and we are also interested in advancing supported employment. We believe we can provide more opportunities for people with disabilities with supported employment in the public sector, especially state government.

I strongly support this committee. It has done a good job keeping the issue of employment for people with disabilities before the public. I believe we can do even more to educate and involve the general public on the benefits of employing those with disabilities, and as Governor, I will take the lead in doing so.





**Stephens / Kolstad**

## **Republican Candidates**

I am strongly opposed to discrimination in any type of employment situation. We will aggressively enforce existing laws so that people are hired on the basis of skills and abilities.

Yes, the Stephens/Kolstad team will be supportive of reasonable efforts to assist the disabled in finding affordable health and accident insurance.

I have generally opposed blanket hiring preferences for state employees except with regard to veterans disabled in service to their country. I will look at any hiring preference proposal with an open mind and give it a fair and considerate review before taking a position.

My goal as Governor is to be active, decisive and perhaps tough in the eyes of some but I believe you will see me as very fair as indicated in my 16 year legislative record.

Yes, we will play an active role in continuing support for the Governor's Committee for Employment of People with Disabilities. Our plan for Montana is to increase business activity which will expand employment opportunities for your constituents as well as other Montanans.

We will be supportive of reasonable legislation providing the disabled access to housing units in the public and private sector. As your letter indicated, the disabled population is a sizable constituency. I believe increased public awareness of your needs will lead to development of products and housing that accomodate the disabled. As Governor, I will support efforts to better inform the public and private sector.

The Stephens/Kolstad program has pledged complete support for education, which includes vocational training, and home health care. These are extremely important areas for all Montanans and are listed as "needed and necessary" services by our administration. Of course, you realize state dollars are extremely tight and we will have to review all funding areas and target priorities. We acknowledge the need for community support services like the Independent Living Project and will provide state assistance as funds allow.

We support current projects aimed at making public transportation systems accessible and affordable for the disabled, elderly and low income. Once again, as the needs of this population sector become better known, accomodations will follow.

**Disabled But Able  
to Vote !**

# Read Your Ballot Carefully

On your November Ballot, C-18 will appear in these words:

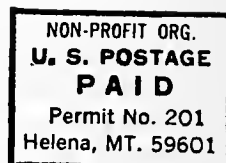
"to allow the legislature greater discretion to determine the eligibility, duration and level of economic assistance and social and rehabilitative services to all inhabitants who are in need by reason of age, infirmities, and misfortune."

The Attorney General of Montana explains what the change in the state Constitution will actually do:

"C-18 will give the Legislature the power to eliminate state services to the elderly, children, the handicapped, and the unfortunate."

For 99 years the Montana Constitution has protected the rights of the elderly, young, disabled and unfortunate.

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